

Remarks

This response replaces the Amendment After Final dated October 5, 2009. Claims 1 and 4 are amended to distinguish the spontaneous release of a fragrance. Support for the claim amendments is found in the specification as filed at, for example, page 4, lines 15-16 and Table 2, page 33 continuing on to page 34, lines 1-5. No new matter is being presented.

A. Rejection of Claims 1-3 under 35 U.S.C. § 112:

Claims 1-3 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner states that the specification is silent with respect to producing a formulation which is comprised of the compound of formula I (see claim 1) in a medium that is sour and oxidative. In response, claim 1 has been amended to remove the combination of sour and oxidative. Thus, Applicants respectfully request withdrawal of the rejection of claim 1-3 under 35 U.S.C. § 112, first paragraph.

B. Rejection of Claims 1-7 under 35 U.S.C. § 103(a):

In the Office Action, the Examiner rejected claims 1-7 as unpatentable for obviousness over Paget et al. (AU-B-71940/94) in view of Anderson et al. (U.S. Patent No. 6,479,682).

In setting forth this rejection, the examiner acknowledges failure of Paget to disclose precursors for organoleptic compounds and cites Anderson for disclosing such. Applicants respectfully disagree with the Examiner's conclusions.

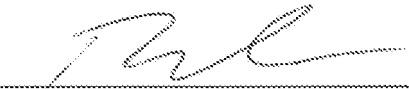
With respect to Paget and Anderson, both detail that the release of fragrances to be very slow. For example, Paget clearly states that its "method is advantageous in that it provides slow release of said odoriferous alcohol..." (See Abstract). With respect to Anderson, such specifically states that the compounds of its invention "provide slow release of the active ingredients." (Col. 6, lines 12-13). In contrast, the present invention allows the release of fragrances in a surprisingly spontaneous manner. For example, as detailed in Table 2 of Applicants' specification, the fragrance precursors showed spontaneous hydrolysis with virtually 100% of the maximum aldehyde concentration being formed from the fragrance precursors after 5 minutes. Paget and Anderson do not disclose or suggest such a rapid release of fragrances and, in fact, detail the slow release of fragrances. Thus, one skilled in the art would not be able to achieve spontaneous release of fragrances based on the disclosure of Paget and Anderson, either alone or in

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Marcus EH et al.
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combination as those references clearly teach away from spontaneous fragrance release. Thus, Applicants respectfully request withdrawal of the rejection of claims 1-7.

Prompt and favorable examination on the merits is requested.

For the Applicants,



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